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PATENT  
Attorney Docket 047763-5010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Carol Morris et al.** )  
 )  
Application No. **09/367,009** ) Group Art Unit: **1642**  
 )  
Filed: **November 8, 1999** ) Examiner: **Minh Tam B. Davis**  
 )  
For: **Diagnosis of Disease Using Tears** )

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U.S. Patent and Trademark Office  
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2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**TRANSMITTAL FORM**

- Transmitted herewith is a Notice of Appeal in response to the Office Action dated July 2, 2003.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for an additional two-month extension of time from November 2, 2003 to January 2, 2004, the fee for which is **\$840.00** as set out in 37 C.F.R. 1.17(a). The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation (37 C.F.R. 1.16):

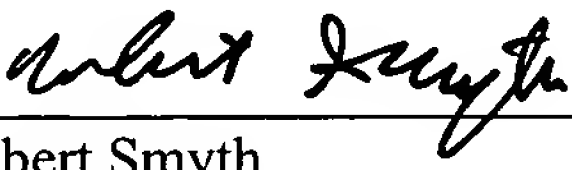
CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	25	minus	25	0	\$18 each=	0.00
Independent Claims	2	minus	4	0	\$86 each=	0.00
First presentation of Multiple dependent claim					\$290.00	0.00
Sub-total =						0.00
Reduction by ½ for filing by a small entity						0.00
Total Fee =						0.00

- Fee Payment: The Commissioner is hereby authorized to charge **\$1,170.00** to Deposit Account No. 50-0310 for payment of the additional two-month extension of time fee (\$840.00) and the Notice of Appeal Fee (\$330.00).
- Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This

paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **December 23, 2003**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
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Robert Smyth  
Registration No. 50,801